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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/974,571
Filing Date	Oct. 9, 2001
First Inventor	Peter G. Borden
Confirmation No.	1003
Group Art Unit	2877
Examiner Name	Smith, Zandra B.
Attorney Docket No.	BOX013 US

Total Number Of Pages In This Submission

11

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached -- Credit Card Payment Form (1 pg)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation of Previous Powers; And Statement Under 37 CFR 3.73(b)	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Receipt Postcard PTO Form 1449 (1 page)
<input checked="" type="checkbox"/> Information Disclosure Statement (2 pages)	<input type="checkbox"/> Request for Refund	Copy of Office Action from 09/788,273 (7 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application (2 pages)	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Omkar K. Suryadevara (Reg. No. 36,320) Silicon Valley Patent Group LLP 2350 Mission College Boulevard, Suite 360 Santa Clara, California 95054
Signature	S. Omkar
Date	Feb 23, 2004

EXPRESS MAIL LABEL NO. EV 448 866 515 US.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Peter G. Borden; Jiping Li; Jon Madsen  
Assignee: Applied Materials, Inc.  
Title: Calibration As Well As Measurement On The Same Workpiece During Fabrication  
Serial No.: 09/974,571 Filing Date: Oct. 9, 2001  
Examiner: Smith, Zandra B. Group Art Unit: 2877  
Docket No.: BOX013 US Confirmation No: 1003

Santa Clara, California  
February 23, 2004

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97(b)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, §1.97 and §1.98, the Applicants submit for consideration in the above-identified patent application the documents listed on the accompanying Form PTO-1449. The Examiner is requested to make these documents of record. The documents are not attached hereto, because these documents are issued patents or publications which are readily available in the U.S. Patent and Trademark Office. These documents were cited in an Office Action dated February 12, 2004 in the commonly owned application 09/788,273 (copy attached). The Applicants presume that the Examiner has reviewed the files of application 09/788,273 for materials that may be relevant to the patentability of the claims of the present application.

The attached Office Action and references cited therein are being cited here in accordance with the recent case DAYCO PRODUCTS, INC. v. TOTAL CONTAINMENT, INC., 02-1497, decided May 23, 2003 by the Court of Appeals for the Federal Circuit. The Examiner is presumed to be knowledgeable about the current case law, including the above-mentioned Dayco case. However, if the Examiner needs a copy of the Dayco case, please call the undersigned.

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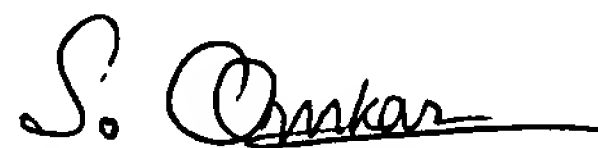
This Information Disclosure Statement is submitted before the mailing of a first Office Action on the merits. Accordingly, no fee should be required. However if a fee is required, please charge the Deposit Account 50-2263 while citing the Attorney Docket No. BOX013 US.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

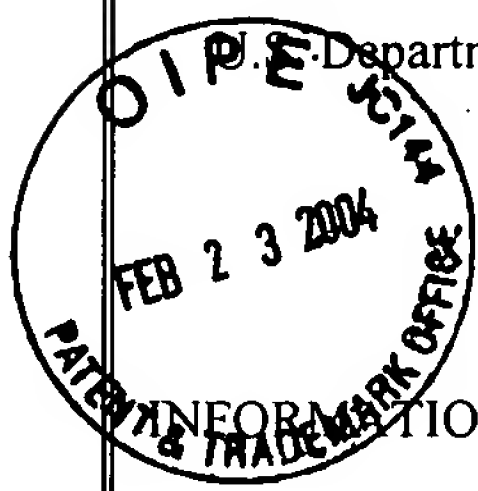
The information contained in this Information Disclosure Statement is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

**Via Express Mail Label No.  
EV 448 866 515 US**

Respectfully submitted,



Omkar K. Suryadevara  
Attorney for Applicant(s)  
Reg. No. 36,320



U.S. Department of Commerce, Patent and Trademark Office

Application No.:	09/974,571
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

U.S. Patent Documents

*Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	2001/0015937	8/23/01	Yamaguchi et al.	369	13	
	2.	6,020,964	2/1/00	Loopstra et al.	356	500	
	3.	6,400,454	6/4/02	Noguchi et al.	356	237	

Foreign Patent Documents

							Translation	
		Document	Date	Country	Class	Subclass	Yes	No

Other Art (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner:	Date Considered:
<p>* Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication with applicant.</p>	